

REMARKS

The Office Action dated February 17, 2004 has been received and carefully studied.

The certified copy of the priority document is filed herewith.

The Examiner rejects claim 1 under 35 U.S.C. §103(a) as being unpatentable over Magnante et al., U.S. Patent No. 5,579,063 in view of Mihashi et al., U.S. Patent No. 6,234,978. The Examiner states that Magnante et al. disclose an eye characteristic measuring system comprising a changeable aperture diaphragm arranged at a position conjugate to the pupil of an eye; a projection optical system for projecting an index image via the aperture diaphragm onto the fundus; a photodetection optical system for receiving a secondary index image reflected from the fundus via the aperture diaphragm; and a detection unit which detects light amount intensity distribution of the secondary index image. The Examiner cites Mihashi et al. for its disclosure of optical characteristic measuring apparatus with a variable aperture diaphragm and for sensing the light amount intensity distribution.

By the accompanying amendment, claim 1 has been amended by incorporating therein the limitations of claim 6. Claim 6, rendered redundant by the amendment, has been cancelled.

The claims now recite first and second optical axes sharing a part in common, with the aperture diaphragm positioned at the shared part and having at least two apertures having symmetrical relation with respect to the optical axes. These features of the

measuring system are nowhere disclosed or suggested by the cited references.


The allowability of claims 4-6 is noted with appreciation.

The amendment is only now being made in order to place the case in condition for allowance.

The remaining prior art is believed to have been properly not relied upon in rejecting any claim.

Reconsideration, entry of the amendment and allowance are respectfully requested in view of the foregoing amendment and remarks.

Respectfully submitted,


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